

**United States District Court  
Western District of Texas  
Austin Division**

UNITED STATES OF AMERICA,

*Plaintiff,*

v.

GREG ABBOTT, in his capacity as Governor  
of the State of Texas, and THE STATE OF  
TEXAS,

*Defendants.*

No. 1:23-cv-00853-DII

**TEXAS’S EXHIBIT LIST**

Defendants Greg Abbott (“Governor Abbott”) and the State of Texas (“Texas”) (collectively, “State Defendants”) submit the following exhibit list:

<b>Exhibit No.</b>	<b>Exhibit Name</b>
D-1	Victor Escalon Declaration (Exhibit B to Opposition to Motion for Preliminary Injunction)
D-2	Chris Nordloh Declaration (Exhibit A to Opposition to Motion for Preliminary Injunction)
D-3	Loren Flossman Declaration (Exhibit C to Opposition to Motion for Preliminary Injunction)
D-4	Captain Justin Peters Deposition (Exhibit D to Opposition to Motion for Preliminary Injunction)
D-5	Mario Gomez Deposition (Exhibit E to Opposition to Motion for Preliminary Injunction)
D-6	Joseph Shelnutt Deposition (Exhibit F to Opposition to Motion for Preliminary Injunction)
D-7	Memorandum dated May 3, 2022, from Inspector General of U. S. Dept. of Homeland Security to Troy A. Miller, Acting Commissioner, U. S. Customs and

	Border Protection, and Tae D. Johnson, Acting Director, U. S. Immigration and Customs Enforcement re “Intensifying Conditions at the Southwest Border are Negatively Impacting CPB and ICE Employees’ Health and Morale” (Exhibit G to Opposition to Motion for Preliminary Injunction)
D-8	US Customs and Border Protection Apprehensions (2020 to 2023 YTD) (Exhibit H to Opposition to Motion for Preliminary Injunction)
D-9	US Customs and Border Protection Drug Seizures (2020 to 2023 YTD) (Exhibit I to Opposition to Motion for Preliminary Injunction)
D-10	DEA Website “Fentanyl Awareness” (Exhibit J to Opposition to Motion for Preliminary Injunction)
D-11	Missing Migrants Project “Annual Regional Overview – Executive Summary” (Exhibit K to Opposition to Motion for Preliminary Injunction)
D-12	US Customs and Border Protection, “Border Rescues and Mortality Data” (July 24, 2023) US Customs and Border Protection Apprehensions (2020 to 2023 YTD) (Exhibit L to Opposition to Motion for Preliminary Injunction)
D-13	85 Fed. Reg. 14953 et seq. (March 16, 2020) (Exhibit M to Opposition to Motion for Preliminary Injunction)
D-14	US Customs and Border Protection Apprehensions (June 2023 YTD) (Exhibit N to Opposition to Motion for Preliminary Injunction)
D-15	US Customs and Border Protection Apprehensions (2020 to 2023 YTD through June) (Exhibit O to Response to Motion for PI)
D-16	Ramon Gonzalez Declaration
D-17	Ben Valdez Declaration
D-18	Department of Public Safety Drone Video of River in Buoy Area (August 17, 2023)
D-19	Handbook of Texas Online Entry (“Rio Grande”) by Texas State Historical Association and Leon B. Metz

D-20	Governor Greg Abbott Executive Order (May 31, 2021) Declaring Border Security Disaster in Maverick County, Texas and Other Texas Counties, and Successive Extensions to Date
D-21	Fox News, “UN Migration Study Deems US – Mexico Border ‘Deadliest’ Land Route in the World Based on 2021 Numbers (July 4, 2022)
D-22	Governor Greg Abbott Executive Order GA-41(July 7, 2022)
D-23	CNN Politics, “First on CNN: A Record Number of Migrants Have Dies Crossing the US – Mexico Border” (September 7, 2022)
D-24	CBS News, “At Least 853 Migrants Died Crossing the U. S. – Mexico Border in Past 12 Months – A Record High” (October 28, 2022)
D-25	Governor Greg Abbott Letter Dated November 16, 2022, to Colonel Steven C. McCraw, Director, Texas Department of Public Safety and Major General Thomas M. Suelzer, Adjutant General, Texas Military Department, enclosing Governor Abbott’s Letter Dated November 14, 2022, to the Honorable David R. Saucedo, County Judge of Maverick County, Texas
D-26	Governor Greg Abbott Executive Order Declaring Drug Cartels to be Foreign Terrorist Organizations (September 21, 2022)
D-27	President Biden Executive Order 14059 (December 17, 2021)
D-28	President’s Message to Congress on the Continuation of the National Emergency With Respect to the Global Illicit Drug Trade (December 12, 2022)
D-29	“Fact Sheet: White House Releases 2022 National Drug Control Strategy that Outlines Comprehensive Path Forward to Address Addiction and the Overdose Epidemic” (April 21, 2022)
D-30	U. S. Customs and Border Protection, “Border Patrol Warns Immigrants of Life-Threatening Risks of Crossing Rio Grande River” (May 17, 2019)

D-31	U. S. Immigration and Customs Enforcement Press Release “ICE Releases FY 2022 Annual Report” (December 30, 2022)
D-32	Media Coverage of Governor Abbott’s June 8, 2023, Press Conference Announcing Plan to Place Buoys In Rio Grande River
D-33	U. S. Customs and Border Protection, “CBP Releases June 2023 Monthly Update” (July 18, 2023)
D-34	National Review, “Illegal Border Crossings Surged in July Despite Record Temperatures” (July 27, 2023)
D-35	Announcement by Jake Sullivan, National Security Advisor (July 28, 2023)
D-36	Secretary of State Anthony J. Blinken and Mexican Foreign Secretary Alicia Barcena at Joint Press Availability (August 10, 2023)

Date: August 21, 2023

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Respectfully submitted,

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#### **CERTIFICATE OF SERVICE**

On August 21, 2023, this document was served by electronic mail on all counsel of record.

/s/ Patrick K. Sweeten

PATRICK K. SWEETEN